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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Li YAO et al.

Confirmation No.: 4499

Serial No.: 10/689,043

Art Unit: 1765

Filed: October 21, 2003

Examiner: Alanko

For: **COMPOSITIONS FOR CHEMICAL, MECHANICAL, PLANARIZATION
OF TANTALUM AND TANTALUM
NITRIDE** Attorney Docket No.: 063254-0151-US

TERMINAL DISCLAIMER FEE

U.S. Patent and Trademark Office
Randolph Building – Customer Service Window
104 Dulany Street
Alexandria, Virginia 22314
MAIL STOP - AMENDMENT

Sir:

Attached hereto is a Terminal Disclaimer. The fee for this Disclaimer is believed to be **\$130.00**. Please charge the required fee, or any additional fee deemed necessary, to Morgan, Lewis & Bockius LLP Deposit Account No. 50-0310.

January 5, 2006

Date

Respectfully submitted,

Christopher G. Hayden

Christopher G. Hayden (Reg. No.) 44,750

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Sir:

Your Petitioner, Christopher G. Hayden, represents that he is Of Counsel in the law firm of Morgan, Lewis & Bockius LLP, and is named on the Power of Attorney filed in this application on March 19, 2004.

Your Petitioner states that **DuPont Air Products NanoMaterials LLC** is the Assignee of the entire interest in and to 1) U.S. Patent No. 6,635,186 which issued from Application No. 09/226,996, by virtue of an assignment to **EKC Technology, Inc** being recorded on February 6, 2003 at Reel 013742, Frame 0698, and by virtue of an Assignment from EKC Technology, Inc. to **DuPont Air Products NanoMaterials LLC** recorded August 31, 2005, at Reel 016700, Frame 0301; and to 2) Pending Application No. 10/689,043 filed October 21, 2003 by virtue of an assignment to **EKC Technology, Inc** being recorded on May 26, 2004 at Reel 015369, Frame 0785, and by virtue of an Assignment from **EKC Technology, Inc.** to **DuPont Air Products NanoMaterials LLC** recorded August 31, 2005, at Reel 016700, Frame 0301. Petitioner hereby confirms that he has reviewed the assignments and, to the best of his knowledge and belief, title is in the assignee seeking to take action in this matter and that he is empowered to act on behalf

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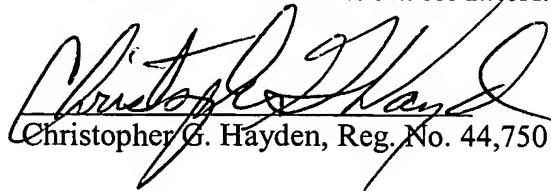
of the assignee, **DuPont Air Products NanoMaterials LLC**.

DuPont Air Products NanoMaterials LLC hereby disclaims the terminal part of any patent granted on Application No. 010/689,043 which would extend beyond the expiration date of U.S. Patent No. 6,635,186, and hereby agrees that any patent granted on Application No. 10/689,043 shall be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to U.S. Patent No. 6,635,186. **DuPont Air Products NanoMaterials LLC** further agrees that this agreement is to run with any patent granted on Application No. 10/689,043 and is to be binding upon the grantee, its successors, and assigns. **DuPont Air Products NanoMaterials LLC** does not disclaim any terminal part of any patent granted on Application No. 10/689,043 prior to the expiration date of the full statutory term of U.S. Patent No. 6,635,186 in the event that said patents later expire for failure to pay a maintenance fee, are held unenforceable, are found invalid, are statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. 1.321(a), have all claims canceled by a reexamination certificate, or are otherwise terminated prior to the expiration of their full statutory term, except for the separation of legal title stated above.

Petitioner hereby declares that all statements made herein of his own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Signed this 5th day of January, 2006.

For **DuPont Air Products NanoMaterials LLC** by



Christopher G. Hayden, Reg. No. 44,750

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